

THE WEITZ LAW FIRM, P.A.

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December 21, 2024

VIA CM/ECF

Honorable Judge Jessica G. L. Clarke
United States District Court
Southern District of New York
500 Pearl Street - Courtroom 20C
New York, NY 10007

MEMO ENDORSED

**Re: Letter-Motion For Extension of Time re
Vuppala v. Land of Buddha, Inc., et al.; Case 1:22-cv-09044-JGLC**

Dear Judge Clarke:

The undersigned represents the Plaintiff in the above-captioned case matter. On December 3, 2024, (at 11:59pm) Defendant Land of Buddha, Inc. filed its Motion for Sanctions [D.E. 117] ("Motion"), and subsequently on December 4, 2024 untimely filed his Declaration, Proposed Order and numerous exhibits [D.E. 118 & D.E. 119]. Consequently, Plaintiff filed its pending Letter-Motion to Strike Defendant's untimely D.E. 118 and D.E. 119. Therefore, a one-time two (2) week extension of time is hereby respectfully requested by the Plaintiff to respond to the Defendant's Motion since undersigned will need to await the Court's related decision regarding Plaintiff's Letter-Motion to Strike [D.E. 120] and due to the upcoming observed holidays for which Plaintiff's counsel will be out of the office on vacation.

Federal Rule of Civil Procedure 6(b) provides that the Court for cause shown may at any time in its discretion with or without Motion or notice order the period enlarged if request is therefore made before the expiration of the period originally prescribed or as extended by a previous Order. The power of the Court to control scheduling pursuant to Federal Rule of Civil Procedure 6(b), is absolute and within the discretion of the District Court. *Hill v. Hawes*, 132 F.2d 569 (CCDC 1942).

For to the above stated compelling reasons, the Plaintiff and his undersigned counsel hereby respectfully request a one-time two (2) week extension of time to respond to Defendant Land of Buddha, Inc.'s Motion [D.E. 117]. Plaintiff's counsel's office has conferred with Defendant's counsel via email, who objects to the filing of this motion stating erroneously and surprisingly that "Plaintiff's response was due on or before November 17, 2024", which actually predates Defendant's filing of his own Motion. Thank you for your consideration of this first extension request.

Application GRANTED. Plaintiff to respond to ECF No. 117 by **January 3, 2025**. The Court will decide whether to strike or limit Defendant's motion after briefing is complete. The Clerk of Court is directed to terminate ECF Nos. 121 and 123.

SO ORDERED.



JESSICA G. L. CLARKE
United States District Judge
Dated: December 27, 2024
New York, New York

Sincerely,

By: /s/ B. Bradley Weitz
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